

**From:** Tom Dickerson  
**To:** 'microsoft.atr(a)usdoj.gov'  
**Date:** 1/18/02 9:57am  
**Subject:** Microsoft Settlement

The purpose of this email is to express my opinion to the Department of Justice with respect to the proposed Microsoft settlement during the "review period", as required by The Tunney Act.

Since I am a Human Being who seeks to live on Earth, I am-by that fact alone-a "consumer". Since I was born and raised in The United States, I suppose that makes me an "American Consumer". I have also followed this case since the investigations into Microsoft's activities began in the early nineties, in anticipation that the DoJ would eventually seek to invoke these arbitrary edicts that we call the "antitrust laws" in order to "punish" Microsoft.

I was right.

So as an American Consumer, I will state that I have benefited tremendously from the existence of Microsoft, including the actions taken by the organization's management, and of its employees. As evidence to my claim, I need to site just one thing: the rise of the price of Microsoft's stock from the point of inception of the corporation. I suspect that this may come as a bit of a surprise to the Department, but we live in a (semi) free society! Free enough, however, that anyone who believed s/he would not benefit from Microsoft's products, was, and still is, free to "sit on the sidelines" and refrain from engaging in exchanges with Microsoft. And yet look at the rise of their stock, and observe all the "consumers" who decided they wanted to be in the game, including myself. Can the same be said of The United States Postal Service? When they want to raise their prices, you usually help them out, don't you? Funny-both Microsoft in the nineties and Ford Motor Company in the twenties lowered their prices (without anyone's help) and each became filthy rich. But I do not doubt for a minute if the Postal Service did that, they would go out of business. They really need you guys! But I wonder what causes this difference.

I realize The Tunney Act is simply a means for the DoJ to give itself that lacquered look of a department that actually seeks justice-that by letting the "little people" like me bawl or cheer, as the case may be, you will make it appear that you're "considering all sides"-and that the act of me sending this email will be one more stroke of the varnish brush. Nevertheless, I want to participate in this act anyway, if for no other reason than to give you one more email that you have to delete from your hard drive before you behold the greatest corporation in American history. I know that The Tunney Act is a way for you to moisten your finger and thrust it into the air before you act, but the mere fact that you feel you need to do it proves what little confidence you have that the actions you're about to take are just. For if you had such confidence in your knowledge of the difference

between right and wrong, you wouldn't feel the need to take an opinion poll of your potential victims-popular opinion will not tell you what is right or wrong, only a reasoning mind can do that. (This is tantamount to a farmer who takes an opinion poll of his sheep because wants to see if they'll be offended when he shears them.)

There. You've got my opinion. Do you want to behead me now? If so, send me an email at the address below and I will give you directions to my apartment. However, I may not be there because, in addition to being a consumer I also happen to be a producer, which means I'm usually really busy. Here's how you can get a key to my building though: ask any employee of The United States Postal Service for one. You see, they get to have keys to my home for some reason, whereas the UPS people and the FedEx people have to leave sticky-notes on the door. I do not benefit from this.

I wonder why that is.

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